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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

STORK, KYLE R

ART UNIT PAPER NUMBER

2178

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,248

Applicant(s)

GAO ET AL.

Examiner

Kyle R. Stork

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 18-27, 42-44 and 47-68 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 18-27, 42-44, 47, 48 and 54-68 is/are rejected.
- 7) ☒ Claim(s) 49-53 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This final office action is in response to the amendment filed 18 January 2005.
2. The abandonment mailed 21 October 2005 has been withdrawn based upon the applicant's amendment being placed into the wrong file wrapper. Accordingly, claims 1-15, 18-27, 42-44, 47-68 are pending. Claims 54-68 are newly added. Claims 16-17, 28-41, and 45-46 are cancelled by the amendment. The objection to the claims has been withdrawn as necessitated by the applicant's amendment. The rejection of claims 1-15, 18-27, 42-44, 47-53 has been withdrawn as necessitated by the amendment.

Claim Objections

3. Claims 49-53 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim 49, and dependent claims 50-53 have not been further treated on the merits.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-15, 18-19, 21, 24-27, 42-44, 47, and 54-60 are rejected under 35 U.S.C. 102(a) as being anticipated by Krishna et al. (US 6012071, patented 4 January 2000, hereafter Krishna).

As per independent claim 1, Krishna discloses a method for independently updating individual display elements of a web page on a client device, the method comprising:

- Displaying in a browser window of a client device, a displayable web page assembled from at least one web page element downloaded from a web server (column 8, lines 54-58)
- Transmitting, to the web server, a request for a non-displayable phantom web page (column 8, lines 58-60: Here, the file containing applets or plug-ins is a non-displayable phantom web page)
- Responsive to the request for the non-displayable phantom web page, receiving at the client device, from the web server, at least one second web page element that is related to the first web page element and associated with the non-displayable phantom web page (column 8, line 60- column 9, line 3)
- Updating the at least one first web page element in the first displayable web page with the second web page element associated with the non-displayable phantom web page without reassembling the displayable web page (column 4, lines 44-48)

As per dependent claim 2, Krishna discloses wherein the steps of transmitting, receiving, and updating are accomplished without a client device agent other than a web browser (column 8, lines 54-58).

As per dependent claim 3, Krishna discloses wherein the second web page element replaces the first web page element on the displayable web page (column 5, lines 6-20 and 43-57).

As per dependent claim 4, Krishna discloses wherein transmitting the request for the second web page element is responsive to a timer event (column 4, lines 54-61).

As per dependent claim 5, Krishna discloses wherein transmitting the request for the second web page element is responsive to a mouse-over event (column 5, lines 43-57).

As per dependent claim 6, Krishna discloses wherein transmitting the request for the second web page element is responsive to a mouse click event (column 5, lines 43-57).

As per dependent claim 7, Krishna discloses wherein the second web page augments the first web page element on the displayable web page (column 5, line 58-column 6, line 16: Here, the font is modified).

As per dependent claim 8, Krishna discloses wherein transmitting the request for the second web page element is responsive to a timer event (column 4, lines 54-61).

As per dependent claim 9, Krishna discloses wherein transmitting the request for the second web page element is responsive to a mouse-over event (column 5, lines 43-57).

As per dependent claim 10, Krishna discloses wherein transmitting the request for the second web page element is responsive to a mouse click event (column 5, lines 43-57).

As per dependent claim 11, Krishna discloses wherein the second web page element is displayed in a pop-up window in the browser window (column 9, lines 4-8).

As per dependent claim 12, Krishna discloses wherein the second web page element is produced by a browser window action (column 5, lines 43-57: Here, this occurs within the browser window, causing the second element to be produced).

As per dependent claim 13, Krishna discloses wherein the second web page element provides a responsive hyperlink of the browser window (column 5, lines 43-57).

As per dependent claim 14, Krishna discloses wherein the second web page element is received by the client device from the web server (column 7, lines 25-45).

As per dependent claim 15, Krishna discloses wherein the second web page element is received by the client device from a computer other than the web server (Figure 2: Here, the elements can be received from one of a plurality of web servers, not specifically being the server that serves the initial page).

As per dependent claim 18, Krishna discloses wherein the second web page element comprises a text element to be displayed with the displayable web page (column 2, lines 28-38).

As per dependent claim 19, Krishna discloses wherein the second web page element comprises a text element and at least one source element to be displayed with the displayable web page (column 5, line 43- column 6, line 16: Here, text in a font is

specified and displayed. Further, source elements obtained from a server are also obtained for display).

As per dependent claim 21, Krishna discloses wherein the source element comprises an image file (column 5, lines 43-57).

As per dependent claim 24, Krishna discloses wherein the second web page element comprises a source element to be processed by the browser (column 5, lines 43-57 and column 6, lines 17-25).

As per dependent claim 25, Krishna discloses wherein the source element comprises an image file (column 5, lines 43-57).

As per dependent claim 26, Krishna discloses wherein the source element comprises an applet (column 8, line 54- column 9, line 3).

As per dependent claim 27, Krishna discloses wherein the second web page element replaces the first web page element on the displayable web page (column 4, lines 44-48).

As per dependent claim 42, Krishna discloses wherein the text element is received by the client device from the server (column 7, lines 26-45).

As per dependent claim 43, Krishna discloses wherein the text element is received by the client device from a computer other than the server (Figure 2: Here, the elements are received from a plurality of servers. These elements are then assembled into a single HTML file, the HTML file obtained from the server, while the elements are received from the plurality of servers).

As per dependent claim 44, Krishna discloses wherein the step of selectively updating the one or more web page elements in the first web page in the first browser window further comprises updating the displayed web page without refreshing the entire page (column 5, lines 6-57).

As per dependent claim 47, Krishna discloses wherein the client device is a personal computer (column 7, lines 26-45; column 2, lines 39-40).

As per independent claim 54, Krishna discloses a method of assembling, displaying, and updating a web page at a client device in a web client-server network, the method comprising the steps of:

- Providing a browser application executing on the client device and operative to display at least one first browser window on the client device (column 8, lines 54-58)
- Responsive to a first web page request to a web server originating from the first browser window on the client device, downloading a first web page instructions to the client device from the web server (column 8, lines 54-58)
- Processing the first web page instructions using the browser application to cause the browser to request one or more web page elements associated with a first web page from the web server (column 8, lines 54-58)
- Assembling the one or more web page elements to generate and visibly display the first web page in the first browser window as directed by the first web page instructions (column 8, lines 54-58)

- Responsive to at least one specific-instruction encountered upon processing the first web page instructions, causing the browser to request a phantom web page from the web server for receipt within the first browser window on the client device, the specific instruction operative to cause the phantom web page to be non-displayable in the first browser window (column 8, line 58- column 9, line 3)
- Responsive to the browser requesting the phantom web page, retrieving a data associated with the non-displayable phantom web page from the web server, the data related at least in part to the one or more web page elements of the first web page (column 4, lines 44-48)
- Selectively updating the one or more web page elements in the first visible web page in the first browser window using the data associated with the non-displayable phantom web page so as to preclude reassembly of the first visible web page (column 4, lines 44-48)

As per dependent claim 55, Krishna further discloses wherein the first web page instructions are, at least in part, browser display instructions specifying the format of the first web page and a location of at least one text element to be displayed in the first web page (column 8, lines 54-58: Here the specified format is HTML; column 5, line 43- column 6, line 16).

As per dependent claim 56, Krishna further discloses wherein the one or more web page elements associated with the first web page include at least one text element (column 5, line 43- column 6, line 16).

As per dependent claim 57, Krishna further discloses wherein the steps of retrieving and selectively updating the text elements are accomplished without a client device agent other than the web browser (column 8, lines 54-58: Here the web browser requests the data).

As per dependent claim 58, Krishna discloses wherein the step of retrieving the data associated with the non-displayable phantom web page from the web server includes receiving an updated text element of the displayed web page (column 5, lines 6-20).

As per dependent claim 59, Krishna discloses receiving an updated source element of the displayed web page (column 5, lines 6-20).

As per dependent claim 60, Krishna discloses wherein the first web page instructions comprise HTML code (column 8, lines 54-58).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 20, 22-23, and 61-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishna and further in view of Adams (US 2002/0124100, filed 27 April 2000).

As per dependent claim 20, Krishna discloses the limitations similar to those in claim 19, and the same rejection is incorporated herein. However, Krishna fails to specifically disclose wherein an element is a sound file. However, Adams discloses a source element being a sound file (paragraph 0004). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Adams with Krishna, since it would have allowed a user to deliver multimedia information via a web page (Adams: paragraph 0004).

As per dependent claim 22, Krishna discloses the limitations similar to those in claim 19, and the same rejection is incorporated herein. Krishna fails to specifically disclose wherein an element is a video file. However, Adams discloses a source element being a video file (paragraph 0004). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Adams with Krishna, since it would have allowed a user to deliver multimedia information via a web page (Adams: paragraph 0004).

As per dependent claim 23, Krishna discloses the limitations similar to those in claim 19, and the same rejection is incorporated herein. Krishna fails to specifically disclose wherein an element is a streaming multimedia file. However, Adams discloses a source element being a streaming multimedia file (paragraph 0005). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Adams with Krishna, since it would have allowed a user to deliver multimedia information via a web page (Adams: paragraph 0004).

As per dependent claim 61, Krishna discloses the limitations similar to those in claim 54, and the same rejection is incorporated herein. Krishna further discloses the use of Java and java applets contained within a file (column 8, line 58- column 9, line 3). Krishna fails to specifically disclose use of JavaScript. However, Adams discloses use of JavaScript (paragraph 0022). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Adams with Krishna, since it would have allowed a user to interact with a web page (Adams: paragraph 0022).

As per dependent claim 62, Krishna and Adams disclose the limitations similar to those in claim 61, and the same rejection is incorporated herein. Krishna further discloses at least in part, a reference to a script file at the web server (column 8, line 58- column 9, line 3).

As per dependent claim 63, Krishna and Adams disclose the limitations similar to those in claim 62, and the same rejection is incorporated herein. Krishna further discloses wherein the script file is parsed by the browser application to cause the browser to generate a data-request from the script file referenced web server (column 8, line 58- column 9, line 3).

As per dependent claim 64, Krishna and Adams disclose the limitations similar to those in claim 63, and the same rejection is incorporated herein. Krishna further discloses wherein responsive to the data-request, the script file referenced web server generates a script code and delivers it to the browser (Figure 2).

As per dependent claim 65, Krishna and Adams disclose the limitations similar to those in claim 64, and the same rejection is incorporated herein. Krishna further discloses wherein the script code is place at an appropriate location in the HTML code for the web page (Figure 2; column 5, lines 6-20).

As per dependent claim 66, Krishna and Adams disclose the limitations similar to those in claim 65, and the same rejection is incorporated herein. Krishna further discloses wherein the script code is interpreted by the browser causing the browser to request the phantom web-page from the web server (column 8, line 58- column 9, line 3).

As per dependent claim 67, Krishna and Adams disclose the limitations similar to those in claim 66, and the same rejection is incorporated herein. Krishna further discloses wherein responsive to the browser requesting the phantom web-page from the web serer, the web server generates and sends update data to the browser (column 8, line 58- column 9, line 3; column 5, lines 6-20).

As per dependent claim 68, Krishna and Adams disclose the limitations similar to those in claim 67, and the same rejection is incorporated herein. Krishna further discloses wherein upon receipt of the update data, the browser processes the update according to the script code to cause the selective updating of the one or more web page elements in the first visible web page (column 5, lines 6-57).

8. Claims 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Krishna and further in view of Dan et al. (US 6560639, filed 12 February 1999, hereafter Dan).

As per dependent claim 48, Krishna discloses the limitations similar to those in claim 54, and the same rejection is incorporated herein. Krishna fails to specifically disclose wherein the device is a handheld device. However, Dan discloses wherein the device is a handheld device (column 29, line 46). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Dan with Krishna, since it would have allowed a user to change positions while receiving updated web content.

Response to Arguments

9. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

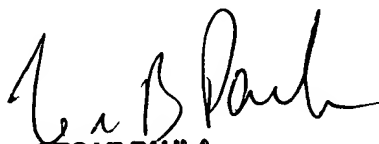
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kyle Stork
Patent Examiner
Art Unit 2178

krs


CESAR PAULA
PRIMARY EXAMINER